



UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NUMBER:	10/051,948	:
APPLICANT:	GAYLE ROSENBERG	:
	ELI S. PINE	:
TITLE:	EXPAND-A-PLATTER/TRAY	:
MAILING DATE:	JUNE 7, 2005	:
		:

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

Express Mail mailing label number: EV 481169420 US

Date of Deposit: **JUNE 7, 2005**

I, JUDITH L. CAMPIONE, being of full age certify as follows:

1. I am the secretary to Arnold D. Litt, attorney in charge of the prosecution of the above-captioned registration.
2. In that capacity she caused to be mailed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, by Express Mail, the following:
 - A. Amendment and Response to Office Communication dated May 16, 2005;
 - B. Certificate of Mailing
 - E. Postcard to be date stamped and returned
3. All statements made are true and all statements made on information and belief are believed to be true. The undersigned is aware of the fact that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the document and the registration.


JUDITH L. CAMPIONE

Dated: June 7, 2005

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BOTTINELLI, LITT, TOSKOS & HARZ, L.L.C.

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June 7, 2005

VIA EXPRESS MAIL (EV 481169420US)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: TITLE: - EXPAND-A-TRAY/PLATTER
APPLICATION NO.: 10/051,948
APPLICANT: GAYLE ROSENBERG & ELI S. PINE
AMENDMENT AND RESPONSE TO OFFICE ACTION DATED MAY 16, 2005

Dear Sir:

Enclosed please find an Amendment and Response to Office Action dated May 16, 2005, Certificate of Mailing, and a stamped, self-addressed postcard to confirm receipt regarding the above captioned matter.

Should you have any questions, please feel free to contact me.

Very truly yours,

**HERTEN, BURSTEIN, SHERIDAN, CEVASCO,
BOTTINELLI, LITT, TOSKOS & HARZ, L.L.C.**

By:

ARNOLD D. LITT, ESQ.

ADL:jlc
Enclosures
cc: Gayle Rosenberg
Eli S. Pine



6-8-05

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TCW

UNITED STATES PATENT AND TRADEMARK OFFICE

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10 APPLICANT: GAYLE ROSENBERG :
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18 TITLE: EXPAND-A-TRAY/PLATTER :
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24 Commissioner for Patents
25 Mail Stop: Non-Fee Amendment
26 Alexandria, Virginia 22313-1450
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28 Dear Sir:
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30 **PRELIMINARY REMARKS:**
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32 In a telephone conversation with Examiner Jennifer E. Novosad on May 25, 2005, the
33 amendment to New Claim 5 to make it dependent on New Claim 4 was discussed. It was the
34 undersigned's understanding that the Examiner agreed that the restriction requirement would be
35 withdrawn with regard to Claim 5 in the event it were made dependent upon Claim 4. As such, the
36 only remaining restriction would relate to the method claim of Claim 18. Applicant traverses the
37 restriction requirement with regard to Claim 18 (and claims 19 - 23 dependent thereupon) on the basis
38 that there is no *material difference* whether the separators are inserted into the apertures before or after
39 the frames are slidably affixed together. However, with the assumed allowance of Claim 4 and all
40 claims dependent thereupon, applicant elects the invention as claimed in Claim 4 and all dependent
41 claims therefrom; accordingly applicant cancels claims 18 – 23 as directed to a non-elected method.
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